

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Home Department - Adilabad District - Providing
Compassionate appointment to Sri M.Varaprasad S/o Late M.laxminarasaiah,
Ex.PC 1491, Adilabad - Orders - Issued.

HOME (WNT) DEPARTMENT

G.O.Ms.No. 14

Dated: 20-1-2011

Read:-

- 1.Govt. Memo.No.21561/WNT/A1/2007, dated: 22.9.2009.
- 2.Orders of Hon'ble A.P.A.T. in O.A.No.9961/2002 dt: 12.2.2009
- 3.Orders of Hon'ble High Court of A.P., Hyderabad in
W.P.No.23550/2009, dated: 3.11.2009.
- 4.From the Collector, Adilabad, Lr.NoA4/59/2009, dt: 8.1.2010.
- 5.From the D.G.P., A.P., Hyderabad, Lr.No.397/Min.Estt.4/2007,
dated: 2.1.2008.

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ORDER:

Sri M. Laxminarasaiah, PC 1491 of Traffic Police Station, Adilabad, expired on 13-06-2006, while in service by committing suicide. Upon his death, his wife applied for compassionate appointment on 07-09-2006 to her son Sri M. Varaprasad. Her request was examined by the Government in terms of instructions issued in Memo No. 41758/Ser. G/06-2, General Administration (Ser. G) Department, dated: 19-07-2007 and rejected vide Government Memo No. 21561/WNT/A1/2007, dated 22-09-2009, on the ground that the deceased employee committed suicide prior to the issue of Govt. instructions dated: 19.7.2007.

2. In a similar case Sri N. Balaiah, Chowkidar, Home Department expired while in service on 05-12-2000 by committing suicide. The request of Kumari N. Renuka, D/o late N. Balaiah, Chowkidar, for compassionate appointment was rejected by the Government. Aggrieved by the rejection Kumari N. Renuka filed OA No. 9961 of 2002 before the APAT., Hyderabad.

3. The Hon'ble APAT., Hyderabad, in OA No. 9961 of 2002 in its order, dated 12-02-2009 held as follows:

"Learned counsel for the applicant drew the attention of this Tribunal to G.O. Ms. No. 687, GA Department, dated 03-10-1987, wherein certain guidelines have been given to provide relief to the deserving members of the family members of the deceased Government servant.

In the said G.O. there is no express prohibition that the dependent Government servants who commit suicide shall not be considered for compassionate appointment. The Government in Circular Memo No. 41758/Ser. G/2006-2, dated 19-07-2007 issued clarification regarding providing compassionate appointment to the dependents of the Government employees who commit suicide while in service.

In the result, the OA is allowed. The respondents are directed to consider the case of the applicant and provide compassionate appointment to her within a period of two months from the date of a copy of this order. CA stands closed"

4. Government have filed an appeal on the aforesaid orders of the APAT in the Hon'ble High Court of AP. The Hon'ble High Court of AP., in its judgment, dated 23-11-2009 in WP No. 23550 of 2009 held that:-

"The Tribunal vide its order, dated 12-02-2009 held that under G.O. Ms. No. 687, dated 03-10-2007, there is no prohibition for appointment of the dependents of the deceased Government employee, who committed suicide, and the Circular Memo No. 41758/Ser. G/2006-2, dated 19-07-2007, issued by the Government clarified that even the cases of the dependents of the deceased Government employees, who committed suicide, also have to be considered for compassionate appointments and accordingly, in the light of the aforesaid GO and in view of the Government Circular Memo No. 41758/Ser. G/2006-2, dated 19-07-2007, allowed the said OA.

5. We are of the opinion that the said Circular Memo is only clarification to G.O. Ms. No. 687, dated 03-10-1987 and we are of the opinion that even the said GO does not prohibit compassionate appointments even in respect of the dependents of the deceased employees, who committed suicide because of the mental illness. The present OA is pending from 2002 onwards. In fact, there was a specific positive direction to consider the case of the applicant and, therefore, it cannot be said that it is an old case and it amounts to reopening of the old case, as the rejection order, dated 28-08-2002, rejecting the request of the applicant was sub judice before the Tribunal".

6. While so, the District Collector, Adilabad, vide his letter 4th read above has requested the Government to extend the benefit of compassionate appointment to Sri M. Varaprasad, S/o late M. Laxminarasaiah, Ex-PC 1491 (died on 13-06-2006 by committing suicide) on humanitarian grounds. The family is reported to be very poor and starving and they have no other earning member in the family. The Director General of Police., A.P., Hyderabad vide 5th read above, has already requested the same.

7. Keeping in view of the above, Government have re-examined the case of Sri M. Varaprasad S/o late M. Laxminarasaiah, Ex-PC 1491 for providing compassionate appointment and found that the case of Sri M. Varaprasad falls on similar lines to that of the case of Kum N. Renuka, D/o late N. Balaiah, Chowkidar, (died on 05-12-2000 by committing suicide) and required to be considered in the light of judgment, dated 23-11-2009, of Hon'ble High Court in WP No. 23350 of 2009. Therefore, it has been decided to provide compassionate appointment to Sri M. Varaprasad, S/o late M. Laxminarasaiah, Ex-PC 1491, Adilabad District, (died on 13-06-2006 by committing suicide) duly extending the benefit of compassionate appointment provided in G.O. Ms. No. 687, G.A. (Ser. A) Department, dated: 03-10-1977, under the scheme of compassionate appointment.

8. Accordingly, Government hereby order to provide compassionate appointment to Sri M. Varaprasad, S/o late M. Laxminarasaiah, Ex-PC 1491, Adilabad District, (died on 13-06-2006 by committing suicide) duly extending the benefit of compassionate appointment provided in G.O. Ms. No. 687, G.A. (Ser. A) Department, dated: 03-10-1977, as there is no other earning member in the family.

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9. The Director General of Police, A.P., Hyderabad shall take further action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA
PRADESH)**

**P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director General of Police, A.P., Hyderabad
The individual **through** : Director General of Police, A.P., Hyderabad.
The Superintendent of Police, Adilabad District.
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER